



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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By ECF

The Hon. Louis L. Stanton
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *The City of New York v. Magellan Technology, et al.*, Case No. 23-5880 (LLS)

Dear Judge Stanton:

This office represents plaintiff the City of New York (“City”). On April 20, 2025, the City filed a letter-motion seeking a pre-motion conference for leave to file a summary judgment against defendant Ecto World, LLC d/b/a Demand Vape (*Dkt. No.* 140). A second letter seeking that relief was filed April 29, 2025, to accommodate the defendant’s request for sealing (*Dkt. No.* 141).

Demand Vape has not responded to either letter (beyond the request for sealing) and the City can only assume that Demand Vape either does not object to holding the conference, or perhaps to the filing of the motion itself. The City accordingly seeks the Court’s guidance as to whether the conference may proceed, or whether the Court wishes for more information concerning the conference request. If the Court wishes to forego a conference, the City is prepared to contact Demand Vape counsel to negotiate a briefing schedule for the Court’s approval.

Thank you for your attention to this matter.

Respectfully submitted,

Eric Proshansky
Assistant Corporation Counsel